

CHAPTER 18

CITIZEN PARTICIPATION

I. INTRODUCTION

CDBG grantees are responsible for holding the required **public hearings** and maintaining a **public information file**. Citizen participation plans are no longer required.

II. GRANTEE RESPONSIBILITIES

- A. Public Hearings
 - 1. Before Getting a CDBG Grant
 - 2. During the Term of a CDBG contract
 - 3. At the end of the CDBG contract term
- B. Pre-Application Hearings
 - 1. At Project Design Phase
 - 2. Before Submitting an Application
- C. Noticing Requirements
 - 1. At the Project Design Phase
 - 2. At the Application Submittal Phase
- D. Recordkeeping
- E. Application Contents, Grievances and Complaints
- F. Public Information File

A. **Public Hearings.**

A public hearing is a public meeting that has been publicly noticed in a local newspaper of general circulation, or noticed in a fashion which otherwise follows local procedures for formal noticing of public hearings. The only public hearings that must be held before the local governing body are hearings where a resolution must be generated. All other public hearings may be conducted by any designated employee or agent of the city or county who is knowledgeable about the program. Hearings are required at the following stages of a CDBG grant:

1. Before Getting a CDBG Grant
 - a. At project design phase.
 - b. At application submittal phase.
2. During the term of a CDBG contract
 - a. Before making any program amendments involving more than 10 percent of the total program budget or adding another activity funded by program income.
 - b. Before making any program amendments that constitute a change in policies, standards, or criteria for program implementation. Examples: changes to rehabilitation program guidelines, changes to economic development plans.
 - c. When adopting or revising a Program Income Reuse Plan.
 - d. Before spending any funds out of a Program Income Fund, where the expenditure has not been previously noticed to the public as part of the Program Income Reuse Plan hearing process.
 - e. At the end of each program year, before submitting the annual Grantee Performance Report.
3. At the end of the CDBG contract term

Before submitting the final Grantee Performance Report and Certificate of Completion, or in the case of a Planning and Technical Assistance grant, before submitting the final product and other closeout documents.

B. Content of Pre-Application Hearings

It is important to fully disclose the following information to the public at the public hearings held prior to submitting the application to the Department.

1. At Project Design Phase

At least one public hearing must be held during the time when the jurisdiction is deciding for which local project(s) or activity(s) to apply for CDBG funding. It need not be held before the governing body. This hearing should be held far enough in advance of the application due date that citizen input from this hearing may be seriously considered as the governing body seeks to identify the best use of CDBG funds. Residents of the area where CDBG funds will be used

should be encouraged to participate. At this hearing, the following information should be offered:

- an explanation of the CDBG program
- an opportunity for attendees to ask questions and suggest possible uses of funds
- information about the amount of funding available, the range of possible activities that may be undertaken with CDBG funds, and the opportunities for citizen involvement as the program progresses.
- discussion of the national objective of benefit to Targeted Income Group (TIG) persons or other national objective
- information about plans to minimize displacement that may occur as a result of grant funding
- information that any assessments resulting from a CDBG-funded project will not be paid by members of the lowest Targeted Income Group and whether Targeted Income Group households who benefit from the project must pay any assessments
- an invitation for written comments and how to submit such comments
- information about the availability of technical assistance to groups representing TIG persons that request such assistance in developing proposals

2. Before Submitting An Application For Funding

After the application has been prepared, and before it is submitted to the Department, the jurisdiction must hold a second hearing in front of the governing body. At this time, the same information listed above should be covered. In addition, the jurisdiction should:

- fully describe the proposed activity(s) in the application
- provide information about the amount of funding that is being requested
- describe where each activity will be carried out and how it will meet the national objective of benefit to TIG persons
- provide information on the estimated time schedule to accomplish the activity
- provide opportunity for attendees to comment on the program, subject to the applicant's normal rules governing public hearings.

C. **Noticing Requirements.**

All hearings should be noticed as widely as possible and held at a time and place convenient to the public, with accommodations for persons with disabilities. Where a significant number of non-English persons can reasonably be expected to participate, the notice must be in the appropriate language(s) and provision should be made for interpreters at the hearing. Public notices always should contain the following information:

- the time and place of the hearing
- the availability of a public information file about the CDBG program
- an invitation to submit written comments and information about where to direct such comments

In addition to the information above, specific public hearings require specific information in the public notice.

1. At The Project Design Stage

The Public Notice should contain information about:

- the amount of CDBG funds available
- the kinds of activities that are eligible for funding

2. At The Application Submittal Phase:

The Public Notice should contain information about:

- the amount of funds being applied for
- the activities being applied for
- a relocation plan, if relocation of residents will be required as a result of the proposed activity

3. When any changes are made or actions are taken **during the term of the grant** that have not already been disclosed to the public, the notice should include:

- information about the action being taken

4. Before submitting the final Grantee Performance Report **at the end of the CDBG contract term**, the notice should include:

- notice that the accomplishments under the grant will be disclosed

D. Recordkeeping.

The applicant/grantee should keep a record of these public hearings. The record should contain copies of the Public Notices, minutes that document the topics announced in the Notice were discussed at the hearing, and a list of attendees. Attendees are not required to sign a sign-in sheet, but the file should show that a list was made available for sign-in at the start of the hearing. If attendees were present but did not sign or if no one attended, the file should so indicate.

E. Applications Content, Grievances, and Complaints.

The local governing body has the sole discretion of deciding the contents of an application for funding. Any allegations made by any resident of the community that the procedural or legal requirements of the program are being violated should be thoroughly investigated. Any written complaints and grievances must receive a written response within 15 days where practicable.

F. Public Information File.

A file containing information about your CDBG-funded activities should be kept in a location easily accessible by the public (for example, a binder at the public counter). Information to be provided in the public information file is listed in Chapter 7, Accounting and Recordkeeping.

III. SUPPORTING MATERIALS

Sample Public Notices for use at the pre-application hearings may be found at the end of this chapter.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City of _____ will conduct a public hearing by the City Council on Tuesday, January 4, 2003, at 8:00 p.m. at the City Hall Conference Room, _____ Street, to discuss the Fiscal Year 2000 Community Development Block Grant program and to solicit citizen input.

Maximum award limits include a total of \$800,000 per year from the General and Economic Development Components combined. Up to \$500,000 per application per year may be awarded from the General and Economic Development Components. Grants up to \$35,000 per year from the General Planning and Technical Assistance allocation and \$35,000 per year for Economic Development Planning and Technical Assistance allocation may be awarded and do not count toward the \$800,000 cap. The Native American allocation is available for eligible activities in areas with concentrations of Native American Indians not federally recognized as an Indian tribe or rancheria. The amount of Native American funds available varies each year, and a grant from this allocation does not count toward the \$800,000 cap.

Major activity categories are Housing - New Construction, Housing Acquisition, Housing-Rehabilitation, Community Facilities/Public Services, Public Works, and Economic Development. Projects funded with CDBG allocations must carry out at least one of three National Objectives, as follows: benefit to Targeted Income Group (TIG) persons, elimination of slums and blight, or meeting urgent community development needs.

The Community Development/Housing Department on behalf of the City of _____ anticipates applying for the maximum grant amount of \$800,000 under the General and Economic Development Components for housing rehabilitation and Reservation of Funds for small business loans as well as the maximum grant amount of \$70,000 from the General and Economic Development Planning and Technical Assistance Components.

The purpose of the public hearing will be to give citizens an opportunity to make their comments known. If you are unable to attend the public hearing, you may direct written comments to the City of _____, Community Development/Housing Department, _____ Street, _____, CA 95_____ or you may telephone _____. In addition, information may be obtained at the above address between the hours of 8:00 a.m. and 5:00 p.m. on weekdays.

**Pre-Application Hearing
Application Submittal Phase
SAMPLE**

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City of _____ will conduct a public hearing by the City Council on Tuesday, April 4, 2003, at 8:00 p.m. at the City Hall Conference Room, _____ Street, to discuss the Fiscal Year 2000 Community Development Block Grant application and to solicit citizen input.

The Community Development/Housing Department on behalf of the City of _____ is applying for the maximum grant amount of \$500,000 under the General Component for housing rehabilitation in the _____ neighborhood.

The purpose of the public hearing will be to give citizens an opportunity to make their comments known. If you are unable to attend the public hearing, you may direct written comments to the City of _____, Community Development/Housing Department, _____ Street, _____, CA 95____ or you may telephone _____. In addition, information may be obtained at the above address between the hours of 8:00 a.m. and 5:00 p.m. on weekdays.

Actions that require public hearings, before the governing body and when a new resolution is required.

Action	Public Hearing	Before Governing Body	New Resolution
Budget change greater than 10% of the total contract	v	v	v
Changes to or new policies or guidelines	v		
Final Products	v		
GPRs	v		
Program Income Reuse Plan	v	v	v
Significant changes in program income	v	v	v
Adding program income to an open grant	v	v	v
Transferring funds between Revolving Loan Accounts		v	